

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

CASE NO. 1:08-CR-54

v.

HON. ROBERT HOLMES BELL

LEON LARON GREENWOOD,

Defendant.

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AMENDED MEMORANDUM OPINION AND ORDER

This matter is before the Court on defendant's Motion for Modification or Reduction of Sentence Pursuant to 18 U.S.C. §3582(c)(2) (docket #54). Based on a review of defendant's motion, the Sentence Modification Report, submissions by counsel on behalf of the defendant and the government, and the original criminal file, the Court has determined that the motion should be denied for the following reason(s):

Defendant was sentenced on September 12, 2008, to a total term of custody of 132 months after pleading guilty to Possession with Intent to Distribute an Unspecified Amount of Cocaine Base contrary to 21 U.S.C. §841(a)(1) and (b)(1)(C) (Count 2), and Possession of a Firearm in Furtherance of a Drug Trafficking Crime in violation of 18 U.S.C. §924(c)(1)(A)(i) (Count 3).

Defendant has an extensive criminal history which includes 18 criminal convictions.

His post-sentencing conduct, as detailed in the Sentence Modification Report, includes being Insolent Toward Staff and Threatening Bodily Harm.

The granting of a reduction in sentence pursuant to Section 3582(c)(2) motion is discretionary with the Court. *United States v. Ursery*, 109 F.3d 1129, 1137 (6th Cir. 1997). Due to defendant's extensive criminal history, his post-sentencing conduct, and the public safety factors that the Court has to be mindful of, the Court will **DENY** defendant's motion for reduction.

(This Opinion is being amended to correct a clerical error, i.e., to correct the name of the defendant in the caption.)

Date: July 26, 2012

/s/ Robert Holmes Bell
ROBERT HOLMES BELL
UNITED STATES DISTRICT JUDGE